

Legal Protection

Liability Insurance

The Yolo County Board of Education (“County Board”) shall provide insurance necessary to protect its members and employees from any judgment resulting from suits brought against them alleging their liability while acting within the scope of their *office, within the scope of their* employment, and/or under the direction of the board. The insurance shall cover claims in such matters as civil rights actions, negligence or other acts resulting in accidental injury to any person or damage to property.

Protection against Liability

No County Board member shall be held liable for harm caused by their act or omission when acting within the scope of their responsibilities for the County Board. The act or omission must be in conformity with state, federal, and local laws and made in furtherance of an effort to control, discipline, expel, or suspend a student, or maintain order or control in the classroom or school. (20 USC 7946)

The protection against liability shall not apply when:

1. The County Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person’s right to safety.
2. The County Board member caused harm while operating a motor vehicle.
3. The County Board member was not properly licensed, if required, by the State of California for such activities.
4. The County Board member was found by a court to have violated a federal or state civil rights law.
5. The County Board member was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or any act of terrorism for which the County Board member has been convicted in a court.
7. The misconduct involved a sexual offense for which the County Board member has been convicted in a court.

Legal References:

Education Code, 17029.5, 35208, 35214

Government Code, 815.3, 820.9, 825, 825.6, 1090-1098, 54950-54957.9, 87100-89503

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